

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

\_\_\_\_\_x

Re:

Richard & Leslie Hogan

Debtors

\_\_\_\_\_x

Chapter 13

Case No. 07-22216

**NOTICE OF MOTION TO REOPEN CASE**

TO ALL PARTIES:

PLEASE TAKE NOTICE that, a motion pursuant to Bankruptcy Rule 105 will  
be made as set forth below:

JUDGE:

Hon. Robert Drain

RETURN DATE AND TIME:

November 10, 2010 9:30 AM

PLACE:

U.S. Bankruptcy Court  
300 Quarropas St.,  
White Plains , NY 10601

RELIEF REQUESTED:

An order reopening this Case.

BASIS FOR RELIEF REQUESTED:

Bankruptcy Rule §105

DATED: October 12, 2010

Spring Valley , NY

/s/ Joshua N. Bleichman

Joshua N. Bleichman

Law Office of Bleichman and Klein

Attorneys for Debtor

268 ROUTE 59

Spring Valley, NY 10977

(845) 425-2510

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

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Re:

Richard & Leslie Hogan

Debtors

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Chapter 13

Case No. 07-22216

**AFFIRMATION IN SUPPORT OF MOTION TO REOPEN**

Richard & Leslie Hogan, Debtors by and through his attorney, Joshua N. Bleichman, affirms under penalties of perjury that I have knowledge of the facts and circumstances stated herein, except as to those matters stated upon information and belief, and those which I believe to be true.

1. This affirmation is submitted in support of the debtors' motion to reopen this voluntary case to allow debtors to complete their plan payments and obtain their Discharge.
2. On March 7, 2007 Debtors filed for Bankruptcy in an attempt to save their home from foreclosure and to re-pay their creditors. Debtors attended their §341 meeting and received confirmation of their Chapter 13 Plan on 03/04/2008. Payments were made over the last three years, however, due to a medical problem, Debtors fell behind two months. The Chapter 13 Trustee made a motion to dismiss the case and on the return date of the motion, Debtors did not appeal and the case was dismissed 09/27/2010.
3. I have the money to reinstate the case and be current going forward. My case was nearly complete. It would cause a severe prejudice to have to re-do everything again.

WHEREFORE, affiant respectfully requests an Order reopening this case and for such other and further relief as the Court deems equitable and lawful.

DATED: October 4, 2010  
Spring Valley , New York  
/s/ Richard Hogan and Leslie Hogan  
Richard Hogan and Leslie Hogan

CERTIFICATE OF SERVICE

STATE OF NEW YORK )  
COUNTY OF ROCKLAND)

I, Joshua N. Bleichman, an attorney admitted to practice before this Courts affirm under the penalties of perjury that I am not a party to this action and I am over the age of 18 years old. I have has offices at 268 Route 59 Spring Valley, New York and I served the within Motion to Reopen and supporting Affirmation on the 12<sup>th</sup> day of October 2010, by depositing a true copy thereof in an post-paid wrapper, placing it in an official depository under the exclusive care and custody of the United States Postal Service within the State of New York, to all persons as follows:

Office of the US Trustee  
33 Whitehall St., 2nd Floor  
New York, NY 10004

**Jeffrey L. Sapir**  
Chapter 13 Trustee  
399 Knollwood Suite 102  
White Plains , NY 10603

/s/ Joshua N. Bleichman  
Joshua N. Bleichman

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

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Re:

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Debtors

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Chapter 13

Case No. 07-22216

**Order to Reopen Case**

The Debtor having made application to this Court on November 10, 2010 for an Order to reopen this Case, and no opposition having been presented, it is therefore

ORDERED that the above captioned case be reopened and Debtors shall be current with the Chapter 13 Plan Payments within 10 days of the entry of this Order.

DATED:     November \_\_\_\_, 2010

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Hon Robert Drain, USBJ